IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

THURSDAY, THE 22ND MARCH 2007 / 1ST CHAITHRA 1929

Bail Appl..No. 1676 of 2007()

CRIME NO. 21 OF 2007 OF BEKAL POLICE STATION

PETITIONER/ACCCUSED NO.3

A.MOIDU,S/O.MUHAMMADALI,FOUZIYA MANZIL,
BEACH ROAD,MATAM,MUZHAPPILANGAD.

BY ADV. SRI.T.M.ABDUL LATHEEF
SRI.V.R.NASAR

RESPONDENTS: RESPONDENTS/STATE & COMPLAINANT

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1. STATE OF KERALA,REPRESENTED BY THE
PUBLIC PROSECUTOR,HIGH COURT OF KERALA,
ERNAKULAM.

2. S.H.O BEKAL,KASARGOD DISTRICT.

BY PUBLIC PROSECUTOR SRI.P.N. SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 22/03/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

Bail Application No. 1676 of 2007

DATED: 22-3-2007

O R D E R

Petitioner who is the 3rd accused in Crime No. 21 of 2007 of Bekal Police Station for offences punishable under Sections 392 and 427, seeks anticipatory bail.

2. The learned Public Prosecutor opposed the application.

3. The case of the prosecution is that on 17-1-2001 at about 8.10 pm. the petitioner herein along with two others robbed the de facto complainant of cash worth Rs. 10,000/- and his Rolex wrist watch and thereafter smashed the side glass of the car of the de facto complainant parked at the Pallikkara Railway Station .

3. Anticipatory bail cannot be granted in a case of this nature. But at the same time, I am inclined to permit the petitioner to surrender before the Investigating Officer and then to have his application for regular bail ordered by the Magistrate concerned. Accordingly, the petitioner shall surrender before the Investigating Officer on any day between 27-03-2007 and 29-03-2007 for the purpose of custodial interrogation and

recovery of incriminating materials, if any. The petitioner shall thereafter be produced before the Magistrate having jurisdiction on the same day who shall consider and dispose of the application for regular bail, if any, filed by the petitioner, preferably on the same date on which it is filed.

This petition is disposed of as above.

V.RAMKUMAR, JUDGE

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